

**MINUTES OF THE REGULAR MEETING OF THE
UPLAND CITY COUNCIL
SEPTEMBER 23, 2019**

OPENING

The regular meeting of the Upland City Council was called to order by Mayor Debbie Stone at 7:00 p.m. in the Council Chamber of the Upland City Hall.

1. ROLL CALL

Present: Mayor Debbie Stone, Council Members Janice Elliott, Ricky Felix, Bill Velto, and Rudy Zuniga

Staff: Interim City Manager Rosemary Hoerning, City Attorney James L. Markman, and City Clerk Keri Johnson

2. ADDITIONS/DELETIONS TO AGENDA None

3. ORAL COMMUNICATIONS None

4. CLOSED SESSION None

5. INVOCATION Reverend Jan Chase, Unity Church of Pomona

6. PLEDGE OF ALLEGIANCE Upland High School students Apisai Mendoza, Aaron Thomas, and Alizah Quinn

7. PRESENTATIONS

Certificates of Recognition were presented to the Upland National Little League District 23 and Section 3 Champions.

Upland Sister City Association President, Brenda Zaldivar, presented Mayor Stone and the City Council with a plaque from Mildura Mayor Simon Clemence, honoring the 50th Anniversary of their Sister City Relationship.

Lupe Camacho, Partnership Specialist, Los Angeles Regional Census Center accepted a Proclamation Declaring the Importance of the 2020 U.S. Census.

A Proclamation Declaring October 2019 as Breast Cancer Awareness Month and Certificates of Recognition were presented to Jimmie Herrick and Barbara Jo Kirshbaum for their Fundraising Efforts toward the Fight to Cure Breast Cancer.

The Upland Chamber of Commerce presented information on their Shop Upland Campaign.

8. CITY ATTORNEY

City Attorney Markman stated there was nothing to report.

9. ORAL COMMUNICATIONS None

10. COUNCIL COMMUNICATIONS

Councilmembers announced various activities throughout the community, including providing an update on the meetings they attended.

11. CONSENT CALENDAR

Councilmember Zuniga removed Consent Calendar Item 11C for separate action. Motion by Councilmember Velto to approve the remainder of the Consent Calendar, seconded by Councilmember Felix, and carried unanimously.

A. APPROVAL OF MINUTES

Approved the Regular Meeting Minutes of September 9, 2019.

B. APPROVE THE RECLASSIFICATION OF THE POSITION OF SENIOR ADMINISTRATIVE ASSISTANT TO DEPUTY CITY CLERK

Approved the reclassification of the existing Senior Administrative Assistant position to Deputy City Clerk.

ITEMS REMOVED FOR SEPARATE ACTION

At 8:05 p.m. Councilmember Zuniga announced that he would abstain from Item 11C since he serves on the San Antonio Water Company Board. Councilmember Zuniga then left the Council Chamber

C. REQUEST FOR APPROVAL OF A WAIVER LETTER RELATING TO THE PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS BETWEEN THE CITY AND THE SAN ANTONIO WATER COMPANY FOR THE CITY'S PURCHASE OF PROPERTY (A PORTION OF ASSESSOR'S PARCEL NO. 1005-271-03, 1723 N. BENSON AVENUE) TO FACILITATE THE CONSTRUCTION OF A REPLACEMENT 7.5 MG WATER RESERVOIR

Interim City Manager Hoerning provided information regarding the delay in obtaining the state revolving loan fund and the request to waive item 12(i) in the purchase and sale agreement in order to close escrow on the property.

Motion by Councilmember Elliott to approve and authorize the Interim City Manager to execute and deliver a letter to the San Antonio Water Company (SAW Co.) and Lawyers Title Company waiving the City's condition relating to a final, executed State construction financing agreement set forth in Section 12(i) of the amended purchase and sale agreement and escrow instructions between the City and SAW Co. for the purchase by the City of property to facilitate the construction of a replacement 7.5 MG reservoir, Project No. 9128, in order to enable the City and SAW Co. to close the land acquisition transaction no later than the current, extended outside closing date of September 27, 2019, seconded by Councilmember Velto, and carried with Councilmember Zuniga abstaining.

At 8:07 p.m. Councilmember Zuniga returned to the Council Chamber and took his seat on the dais.

12. PUBLIC HEARINGS

A. CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL AMENDING THE MASTER FEE SCHEDULE TO UPDATE FEES FOR PARKING CITATION FINES

Captain Cliff Mathews presented the staff report, which is on file in the City Clerk's Office.

There was discussion on the fine rates charged by surrounding cities and when those rates had been updated.

Mayor Stone opened the public hearing and hearing no testimony, closed the public hearing.

Motion by Councilmember Zuniga to adopt Resolution No. 6508 amending the master fee schedule to update the parking citation bail schedule, seconded by Councilmember Elliott, and carried unanimously.

13. COUNCIL COMMITTEE REPORTS None

14. BUSINESS ITEMS

A. AWARD OF BID FOR PROJECT NO. 7073, CITYWIDE STRIPING REPLACEMENT (BID NO. 2019-03)

Engineering Manager Critchfield presented the staff report, which is on file in the City Clerk's Office.

Motion by Councilmember Elliott to approve the specifications for Project No. 7073; award the construction contract to Superior Pavement Markings, Inc. in the amount of \$162,920.00; and, authorize a construction contingency in the amount of \$17,080.00, for a total amount of \$180,000.00 from the Gas Tax Fund, seconded by Councilmember Felix, and carried unanimously.

15. ORAL COMMUNICATION (items not on the agenda)

Kati Parker, Upland, provided information on an upcoming Upland Heritage Workshop.

Carlos Garcia, Upland, questioned the advice of the City Attorney in regard to the sale of Memorial Park land.

Lois Sicking Dieter, Upland, questioned the advice of the City Attorney in regard to the sale of Memorial Park land and requested the City Council post a request for proposal for City Attorney services.

Steve Bierbaum, Upland, questioned the advice of the City Attorney in regard to the sale of Memorial Park land and a settlement agreement.

James Breitling, Upland, spoke regarding the importance of recycling education for the community.

Irmalinda Osuna, Upland, questioned the advice of the City Attorney in regard to the sale of Memorial Park land and requested the City Council review his performance.

Natasha Walton, Upland, questioned the advice of the City Attorney in regard to the sale of Memorial Park land and stated there were flaws in the contract.

16. CITY MANAGER None

17. ADJOURNMENT

At 8:42 p.m., Mayor Stone adjourned in memory of Trisha Martinez, City of Montclair Councilmember. The next regularly scheduled City Council meeting is Monday, October 14, 2019.

SUBMITTED BY


Keri Johnson, City Clerk

APPROVED

October 14, 2019